

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Albert Palmer 30720-007

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg.# of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:06-0112
(Number to be assigned by Court)

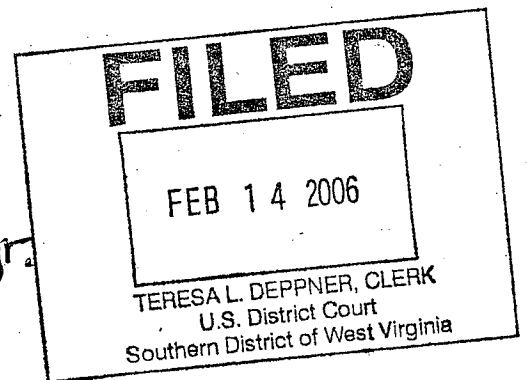
Mr. AL Haynes, Warden

Ms Puri, HSA

Mr. CHRIS Pulice, Unit Mgr.

Ms. Patricia Maldonado, CS. mgr.

(Enter above the full name of the defendant
or defendants in this action).



COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No ✓

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county):

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: HAZELTON USP

A. Is there a prisoner grievance procedure in this institution?

Yes ☒

No ☐

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ☒

No ☐

C. If your answer is YES:

1. What steps did you take? I filed BP8-BP9 which
is forward to the warden, and was told my claim
had no merit or validity
2. What was the result? was informed by warden
claim had no validity

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Albert Palmer 30720-007

Address: P.O. Box 2000-HAZELTON USP, Bruce ton Mills, WV

B. Additional Plaintiffs and Address: For additional substantiation
and validity of my claim - I have in my possession
at least 8 names of inmates + Reg. nos.
that has major problems (of varied levels) with
the medical dept. that are documented and on
record.

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant _____
is employed as _____
at _____

D. Additional defendants: _____

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheet if necessary).

Warden, Al Haynes failed to recognize and produce the results that would have granted me temporary medical relief of my chronic core concerns. He appeared to have been willfully blind and deliberately indifferent according to his investigative response.

• Ms Puri, HSA - She was fully aware of all things encompassed in my claim. And yet, she chose to be willfully blind, deliberately indifferent, deceptive regarding the medical facts that has turned out to be of great detriment to my health condition.

IV. Statement of Claim (continued):

- Mr. Chris Pulice, Unit Mgr. when I was in the process of diligently seeking chronic care service, and filing the administrative process he willfully engaged in delaying and impeding the process and progress by being deliberately indifferent, intentionally deceitful and discarded the initial round of informal resolution forms which had to be resubmitted to get any consideration.
- Ms. Patricia Maldonado, C. Mgr. decided to concur and assisted with concealing the facts of my above claim regarding Unit Mgr. Chris Pulice

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Taking into account all of the unnecessary suffering I have and are continuing to endure as a result of their intentional negligence, deceit + indifference
Certainly I believe there should be monetary as well as punitive damage compensation extended. And to warrant upon resignation or termination of these present positions with the BOP. Based on the magnitude of this vital situation which may contribute to my early death.

V. Relief (continued)

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

Presently in pursuit of retaining civil law firm from the Charleston, WV area.

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes ☒ No ☐

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: _____

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes ☐ No ☒

If so, state the lawyer's name and address:

Signed this 16th day of February, 2006.

Albert Palmer
Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
(Date)

Albert Palmer
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

**"AUTHORIZED BY THE ACT OF July 27, 1955
TO ADMINISTER OATHS (18 USC 4004)."**

Emmanuel J. J. J.
CORRECTIONAL TREATMENT SPECIALIST

February 11, 2006
DATE

①

Continuation of IV Statement of Claim

I have submitted repeated requests from 12/12/05, 12/28/05 and 1/30/06. Which were all ignored and never responded to. I then met with the Consolidated Services Manager, Ms Susan Falk and gave her my complaint and verified the above attempts according to my personal replications I retained as proof of actually turning in sick call triage requests for chronic care service. And it was only subsequent to conferring with her on 2/07/06 at 11:50 AM, that I was scheduled an appointment for two days later on 2/09/06 for 8:AM for a physical and to review my medical jacket with Dr. J. Vasquez, infectious disease specialist. It was at that time all of the medical history were unsealed pertaining to my chronic care concerns. To properly treat my HIV-AIDS disease there has to be lab work conducted to ascertain my precise health status.

- CD4 - CD8 and viral load lab work are utterly pertinent. However, from 4/28/05 which is my initial arrival date here, never were any of those labs ordered nor were there any lab statistics in sight or to be found in my medical records as of 2/09/06. Absolutely nothing relating to my HIV-AIDS condition. From the partial lab results that were revealed on record, the following were observed by Dr. J. Vasquez, that my glucose were very high and indicated a sign of having diabetes #1, high blood pressure and high cholesterol, all new medical problems as a result of neglect and deliberate indifference. I have been given lab work two consecutive times 6/15/05 results retrieved on 6/19/05, and 11/30/05 results gotten back on 12/02/05, and none of those results were ever discussed with me regarding the new diseases until 2/09/06 by Dr. Vasquez.
- Also relating to the erosion of my HIV-AIDS, there are constant night sweats, huge reduction in my weight, skin deterioration on hands and feet, never treated to date.
- Lossing of vision, never treated or given eye exam.

② Continuation of IV Statement of Claim

- Diarrhea - never treated
- No dental check up
- Additionally, I have had two open heart surgeries (mitral valve replacement) never scheduled to see cardiologist or given EKG
- Prior exposure to TB - never given chest X ray to determine status of.
- Now, I arrived here at Hazelton USP, on 4/28/05, and at that time the administration were well aware of the fact that the medical department were highly inadequate to service or accommodate my chronic care needs as being a level three patient.
- The medical dept. only had a nurse practitioner on the premises when I initially arrived on 4/28/05 and who was only qualified & allowed to treat up to a level two chronic care patient. / Per Dr. J. Vasquez 2/09/06, so my life was put in jeopardy (intentionally) from the very start.
- The very first full time (Board certified MD) did not arrive here at Hazelton USP until 10/03/06
- As a level three chronic care patient I'm required to be given a physical examination every thirty days by an MD / Per Dr. J. Vasquez
- none of this was ever done by the medical dept.
- prior to seeing Dr. J. Vasquez on 2/09/06 at 8:AM, I was seen two other times 6/15/05 and 11/30/05 over a ten month period, far short of the requisites for a patient of level three with such grave medical conditions.